

## **§ 19.975**

### **§ 19.975 Notice.**

*Notice* means a written communication served in person, sent by certified mail or its equivalent, or sent electronically by e-mail or facsimile. (See § 19. 615.)

### **§ 19.980 Participant.**

*Participant* means any person who submits a proposal for or who enters into a covered transaction, including an agent or representative of a participant.

### **§ 19.985 Person.**

*Person* means any individual, corporation, partnership, association, unit of government, or legal entity, however organized.

### **§ 19.990 Preponderance of the evidence.**

*Preponderance of the evidence* means proof by information that, compared with information opposing it, leads to the conclusion that the fact at issue is more probably true than not.

### **§ 19.995 Principal.**

*Principal* means—

(a) An officer, director, owner, partner, principal investigator, or other person within a participant with management or supervisory responsibilities related to a covered transaction; or

(b) A consultant or other person, whether or not employed by the participant or paid with Federal funds, who—

(1) Is in a position to handle Federal funds;

(2) Is in a position to influence or control the use of those funds; or,

(3) Occupies a technical or professional position capable of substantially influencing the development or outcome of an activity required to perform the covered transaction.

### **§ 19.1000 Respondent.**

*Respondent* means a person against whom an agency has initiated a debarment or suspension action.

## **31 CFR Subtitle A (7–1–05 Edition)**

### **§ 19.1005 State.**

(a) *State* means—

(1) Any of the states of the United States;

(2) The District of Columbia;

(3) The Commonwealth of Puerto Rico;

(4) Any territory or possession of the United States; or

(5) Any agency or instrumentality of a state.

(b) For purposes of this part, *State* does not include institutions of higher education, hospitals, or units of local government.

### **§ 19.1010 Suspending official.**

(a) *Suspending official* means an agency official who is authorized to impose suspension. The suspending official is either:

(1) The agency head; or

(2) An official designated by the agency head.

(b) [Reserved]

### **§ 19.1015 Suspension.**

*Suspension* is an action taken by a suspending official under subpart G of this part that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended.

### **§ 19.1020 Voluntary exclusion or voluntarily excluded.**

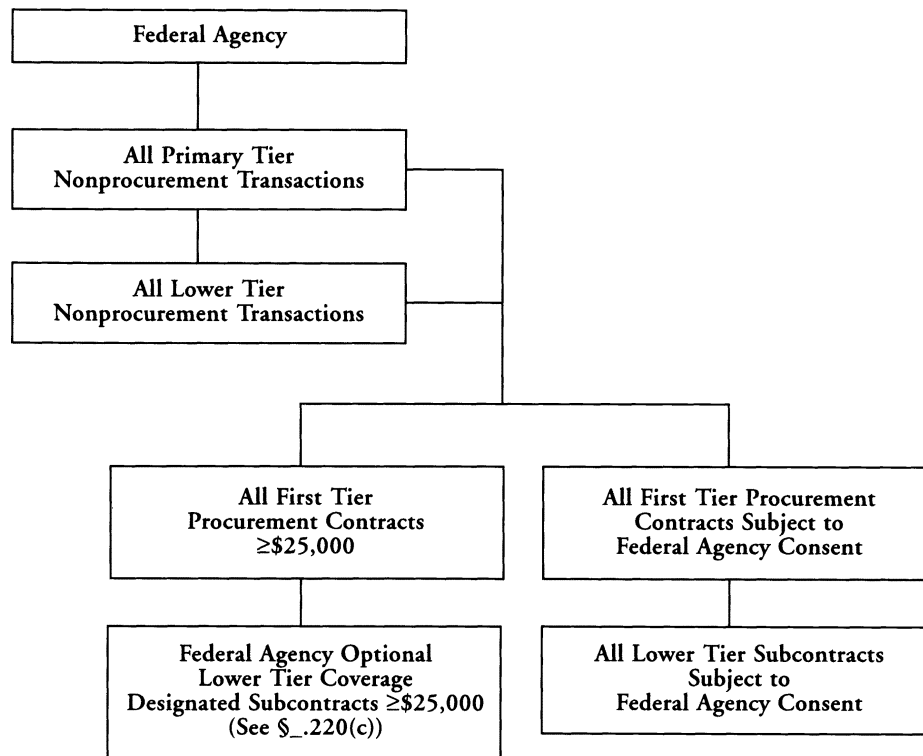
(a) *Voluntary exclusion* means a person's agreement to be excluded under the terms of a settlement between the person and one or more agencies. Voluntary exclusion must have governmentwide effect.

(b) *Voluntarily excluded* means the status of a person who has agreed to a voluntary exclusion.

## **Subpart J [Reserved]**

## APPENDIX TO PART 19—COVERED TRANSACTIONS

## COVERED TRANSACTIONS

**PART 20—GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (FINANCIAL ASSISTANCE)****Subpart A—Purpose and Coverage**

Sec.

20.100 What does this part do?

20.105 Does this part apply to me?

20.110 Are any of my Federal assistance awards exempt from this part?

20.115 Does this part affect the Federal contracts that I receive?

**Subpart B—Requirements for Recipients Other Than Individuals**

20.200 What must I do to comply with this part?

20.205 What must I include in my drug-free workplace statement?

20.210 To whom must I distribute my drug-free workplace statement?

20.215 What must I include in my drug-free awareness program?

20.220 By when must I publish my drug-free workplace statement and establish my drug-free awareness program?

20.225 What actions must I take concerning employees who are convicted of drug violations in the workplace?

20.230 How and when must I identify workplaces?

**Subpart C—Requirements for Recipients Who Are Individuals**

20.300 What must I do to comply with this part if I am an individual recipient?

20.301 [Reserved]